

31A-22-722.5 Mini-COBRA election -- American Recovery and Reinvestment Act.

- (1)
- (a) If the provisions of Subsection (1)(b) are met, an individual has a right to contact the individual's employer or the insurer for the employer to participate in a transition period for mini-COBRA benefits under Section 31A-22-722 in accordance with Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), as amended.
 - (b) An individual has the right under Subsection (1)(a) if the individual:
 - (i) was involuntarily terminated from employment during the period of time identified in Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), as amended;
 - (ii) is eligible for COBRA premium assistance under Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), as amended;
 - (iii) was eligible for Utah mini-COBRA as provided in Section 31A-22-722 at the time of termination;
 - (iv) elected Utah mini-Cobra; and
 - (v) voluntarily dropped coverage, which includes dropping coverage through non-payment of premiums, between December 1, 2009 and February 1, 2010.
- (2)
- (a) An individual or the employer of the individual shall contact the insurer and inform the insurer that the individual wants to maintain coverage and pay retroactive premiums under a transition period for mini-COBRA coverage in accordance with the provisions of Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), as amended.
 - (b) An individual or an employer on behalf of an eligible individual shall submit the applicable forms and premiums for coverage under Subsection (1) to the insurer in accordance with the provisions of Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), as amended.
- (3) An insured has the right to extend the employee's coverage under mini-cobra with the current employer's group policy beyond the 12 months to the period of time the insured is eligible to receive assistance in accordance with Section 3001 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) as amended.
- (4) An insurer that violates this section is subject to penalties in accordance with Section 31A-2-308.

Amended by Chapter 297, 2011 General Session

Amended by Chapter 340, 2011 General Session